

Early Variety Peas * * * Packed by Knellsville Pea Canning Company Port Washington, Wis."

It was alleged to be misbranded in that it was canned food and fell below the standard of quality and condition promulgated by the Secretary of Agriculture, since the peas were not immature and its package or label did not bear a plain and conspicuous statement prescribed by the Secretary indicating that it fell below such standard.

On September 2, 1938, the Hershey Wholesale Grocery Co., Kansas City, Kans., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be relabeled under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29317. Adulteration of apples. U. S. v. 70 Bushels of Apples. Consent decree of condemnation and destruction. (F. & D. No. 43786. Sample No. 31278-D.)

This product was contaminated with lead.

On August 19, 1938, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 70 bushels of apples at Pittsburgh, Pa.; alleging that the article had been shipped in interstate commerce on or about August 15, 1938, by Samuel Sam from Dunkirk, N. Y.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it harmful to health.

On August 27, 1938, judgment of condemnation was entered and the product was ordered destroyed, the consignee in view of its perishable nature, having recommended its destruction.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29318. Adulteration of crab meat. U. S. v. 13 Cans, 8 Cans, and 1 Barrel of Crab Meat. Default decrees of condemnation and destruction. (F. & D. Nos. 43113, 43168. Sample Nos. 34044-D, 34056-D.)

This product contained evidence of the presence of filth.

On July 22 and 30, 1938, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 21 cans and 1 barrel of crab meat at Washington, D. C.; alleging that the article had been shipped in interstate commerce on or about July 19 and July 27, 1938, by Alex Haddaway from Claiborne, Md.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted of a filthy animal substance.

On August 18, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29319. Adulteration of ketchup and tomato juice cocktail. U. S. v. 479 Cases of Ketchup and 266 Cases of Tomato Juice Cocktail. Consent decree of condemnation. Products released under bond conditioned that containers be salvaged and contents destroyed. (F. & D. No. 41983. Sample Nos. 13816-D, 13817-D.)

Analyses showed that these products contained excessive mold.

On March 17, 1938, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 479 cases of ketchup and 266 cases of tomato juice cocktail at Somerville, Mass.; alleging that the articles had been shipped in interstate commerce on or about February 7, 1938, by Curtice Bros. Co. from Rochester, N. Y.; and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Blue Label Ketchup [or "Tomato Juice Cocktail"] * * * Curtice Brothers Co. Rochester, N. Y."

They were alleged to be adulterated in that they consisted in whole or in part of a decomposed and filthy vegetable substance.

On April 15, 1938, Curtice Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the products were